

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

SUNLESS, INC.,  
Plaintiff,

v.

PALM BEACH TAN, INC., AMERICAN  
TANNING, CO., ASHLEY LYNN'S INC.,  
NORTH CENTRAL TAN, LLC, OLD  
TRINITY PARTNERS, LLC, and PACIFIC  
BEACH TAN, INC.,

Defendants.

PALM BEACH TAN, INC., AMERICAN  
TANNING, CO., ASHLEY LYNN'S INC.,  
NORTH CENTRAL TAN, LLC, OLD  
TRINITY PARTNERS, LLC, and PACIFIC  
BEACH TAN, INC.,

Counter-Plaintiffs,

v.

SUNLESS, INC.,  
Counter-Defendant.

Case No. 5:21-cv-00248-SO  
(Consolidated with  
Case No. 1:22-cv-00090)

Hon. Solomon Oliver, Jr.

**JOINT STIPULATION OF DISMISSAL OF ALL CLAIMS**

Pursuant to the parties' confidential settlement agreement and Federal Rule of Civil Procedure 41(a), and subject to the order of the Court as provided below, Plaintiff Sunless, Inc. ("Sunless") and Defendants Palm Beach Tan, Inc., Palm Beach Tan Franchising, Inc., American Tanning, Co., Ashley Lynn's, Inc., North Central Tan, LLC, Old Trinity Partners, LLC, and Pacific Beach Tan, Inc., ("Defendants") hereby jointly stipulate that this action, and each and every count, claim, and counterclaim asserted therein shall be dismissed with prejudice, with each party to bear its own attorneys' fees and costs, and request that the Court enter an Order dismissing these actions in their entirety with prejudice, with each party to bear its own attorneys' fees and costs.

**IT IS SO ORDERED.**

/s/ Solomon Oliver, Jr.  
United States District Judge  
8/14/2024

Dated: August \_\_, 2024

s/ Marcella Ballard

Marcella Ballard\*  
Leonard L Gordon\*  
Gianna Cricco-Lizza\*  
Maria Sinatra\*  
VENABLE LLP  
151 W. 42nd Street, 49th Floor  
New York, NY 10036  
Tele: (212) 307-5500  
Fax: (212) 307-5598

Stephen E. Chappelear (0012205)  
sechappelear@eastmansmith.com  
EASTMAN & SMITH LTD.  
100 E. Broad Street, Suite 2100  
Columbus, Ohio 43215  
Tele: (614) 564-1440  
Fax: (614) 280-1777

*\*Admitted Pro Hac Vice*  
*Attorneys for Plaintiff Sunless, Inc.*

Respectfully submitted,

s/Lisa Meyerhoff

Lisa H. Meyerhoff (Admitted Pro Hac Vice)  
Email: LMeyerhoff@seyfarth.com  
Emma C. Mata (Admitted Pro Hac Vice)  
Email: EMata@seyfarth.com  
SEYFARTH SHAW LLP  
700 Milam St., Suite 1400  
Houston, Texas 77002  
Phone: 713 225 2300  
Fax: 713 225 2340

John F. Marsh (0065345)  
Email: jmarsh@baileycav.com  
Elizabeth E. Cary (0090241)  
Email: ecary@baileycav.com  
BAILEY CAVALIER LLC  
10 W. Broad Street, Suite 2100  
Columbus, Ohio 43215  
Phone: 614 221 3155  
Fax: 614 221 0479

Brandon L. Bigelow (Admitted Pro Hac Vice)  
Email: BBigelow@seyfarth.com  
SEYFARTH SHAW LLP  
Seaport East  
Two Seaport Lane, Suite 300  
Boston, MA 02210-2028  
Phone: 617 946 4800

ATTORNEYS FOR DEFENDANTS PALM  
BEACH TAN, INC., AMERICAN TANNING, CO.,  
ASHLEY LYNN'S INC., NORTH CENTRAL  
TAN, LLC, OLD TRINITY PARTNERS, LLC,  
PACIFIC BEACH TAN, INC., and PALM BEACH  
TAN FRANCHISING, INC.